

## **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of August 24, 2007. Claims 1-13, 15-18, 20-30, 32 and 33 are pending. Claims 14, 19, and 31 have been cancelled.

Reconsideration of the application is requested.

### **The Office Action**

#### **I. Summary of the Office Action**

The drawings were objected to as failing to comply with 37 C.F.R. § 1.84(p)(5) for failure to include certain reference signs mentioned in the specification.

The specification was objected to because of the presence of a number of minor grammatical and spelling errors.

Claims 3, 6-9, 13, 22-23, 27-27, and 32 were objected to because of a number of informalities.

Claims 1-5, 10-15, 17, and 22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Engstrom et al. (U.S. Pat. No. 6,463,078).

Claims 6-9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Frailong et al. (U.S. Pat. No. 6,496,858).

Claims 24-29 were rejected under 35 U.S.C. § 102(b) as being anticipated by Motoyama (U.S. Pat. No. 5,887,216).

Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frailong in view of Cabrera et al. (U.S. Pat. Pub. No. 2003/0177183).

Claims 16, 19-21 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Engstrom in view of Frailong.

Claim 18 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Engstrom in view of Thomson et al. (U.S. Pat. No. 5,574,848).

Claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Motoyama in view of Budnik et al. (U.S. Pat. No. 5,893,008).

Claims 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Motoyama in view of Engstrom.

## **II. The Present Application**

By way of brief review, the present application is related to the implementation and distribution of the services electroreprographic marking machines can offer to users. More particularly, the present application is directed towards the systems, methods, components and services enabled by electroreprographic marking machines embodying connected intelligent products. Such connected intelligent products address the myriad problems of the post-sale relationship between the user, manufacturer, and machine. They allow the manufacturer to address user needs automatically through the machine which had been traditionally manual in nature. For example, this includes the user's needs to receive services in support of the machine, such as repair, resupply, upgrades, enhancements, integration into solutions, and other offerings.

The systems, methods, components and services of the present application place the device in constant contact with the manufacturer through a network, giving the manufacturer access to the machine 1) to automatically perform services a user may desire to avoid; 2) to assist the user in performing services rapidly or immediately where he would otherwise have to wait; and 3) to monitor the machine and offer services that may be desirable to the user. The manufacturer-machine communication provided by the systems, methods, components and services of the present application acknowledge that one size does not fit all. They allow the user access to solutions that behave consistently across multiple machine configurations, without inundating the user with a bewildering array of options. This keeps the solutions accessible, manageable, and supportable, and keeps the user in control. Therefore, the systems, enhance user experience, and by extension, the user-manufacturer relationship by simplifying the user's relationship with the machine.

These enhancements of the user experience with the electroreprographic device can be accomplished in many instances by an add-on component to the device. Such a device can accomplish the enhancements with a minimum of modifications and expense to the user by employing existing infrastructure in the device's environment. The enhancements do not require large amounts of additional equipment or training, as the add-on component uses an embedded Web server to project its user interface

across a network and through the device itself. Thus, the add-on component remains both unobtrusive and inexpensive, while the user interface for the component is convenient and widely accessible.

### **III. The Cited References**

In stark contrast, neither of Engstrom, Frailong or Motoyama is concerned with the implementation and distribution of services for office device users. Instead, Engstrom is concerned with transparently switching from one communication protocol to another. In the main, the disclosure describes data transmission, and remains abstracted from the content of the data itself.

Frailong discloses an initializing and reconfiguring a network interface device connecting a client computer system to an external network, where the network interface device is configured for the client system by automated procedures and protocols initiated from a remote server. It has nothing whatsoever to do with services for office machines. It makes but a single of electroreprographic devices, disclosing a fax machine as a method to send a phone number.

Motoyama discloses only a diagnostic tool for communicating problems to a remote diagnostic center and making possible remote connections. The reference fails to implement the functionality of the present application in convenience of interface, and fails to implement the scope of the present application regarding the services offered.

### **IV. Objections to Drawings Addressed**

The specification, as corrected, has addressed the Examiner's objection to the drawings. The Examiner objected to FIGS 1 and 16 because they did not include reference sign 115 mentioned in the specification at paragraphs [0059], [0061] and [0072]. However, the error was in the specification and not in the drawings. In paragraphs [0059] and [0061], reference sign 115 was referred to specifically alluding to the fact that the depictions of reference sign 115 are in FIGS. 12, 17 and 18. This has been addressed by adding this information to a parenthetical immediately following the reference sign in the text. In paragraph [0072], reference sign 115 was said incorrectly to be described in FIGS. 12, 16 and 17. This has been corrected to state that reference

sign 115 is described in FIGS. 12, 17 and 18. Applicants have introduced no new matter. All of these corrections were made to remove informalities, and are not to be construed as limiting the claims. In view of the foregoing, Applicants submit that the drawings are in acceptable condition and respectfully request the Examiner to withdraw the objections.

#### **V. Objections to Specification Addressed**

The specification, as corrected, is without minor spelling, grammatical, or reference errors. The Examiner objected to the disclosure due to the presence of a number of minor errors. The Examiner enumerated one specific instance of a minor reference error, and noted that others may exist. Applicants have corrected the enumerated error, and have also reviewed the disclosure and corrected a number of other minor errors. Applicants believe the specification to be free of errors, and respectfully submit that the specification is free of informalities.

Applicants have introduced no new matter. All of these corrections were made to remove informalities, and are not to be construed as limiting the claims. In view of the foregoing, Applicants submit that the specification is in acceptable condition and respectfully request the Examiner to withdraw the objections.

#### **VI. Objections to Claims Addressed**

The claims, as amended, are without informalities. The Examiner objected to claims 3, 6-9, 13, 22-23, 26-27 and 32 for a number of spelling and grammatical errors, and suggested corrected forms. In light of the Examiner's comments, these claims have been amended. These amendments were made to correct informalities, and are not to be construed as limiting the claims. In view of the foregoing, Applicants submit that the claims are in acceptable condition and respectfully request the Examiner to withdraw this objection.

#### **VII. The Claims are Neither Anticipated Nor Obvious**

##### Rejection of Claims 1, 10, and Dependent Claims

The Examiner has rejected claims 1-5, 10-15, 17, and 22 under 35 U.S.C. § 102(e) as being anticipated by Engstrom. Applicants traverse this rejection. This rejection should be withdrawn for at least the following reasons. Engstrom does not disclose the subject invention as set forth in the subject claims.

In particular, the Examiner asserts that Engstrom discloses the “embedded system connected to an IOT of a device through at least one existing device interface” of claim 1 at “column 20, lines 12-16, where the client computer is being interpreted as the embedded system, and since there is a physical connection between the client computer and a server, it is evident that this may happen through an IOT.” (8/24/2007 Office Action). This is not an enabling disclosure. Applicants remind the Examiner that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in as complete detail as is contained in the claim. (See MPEP 2131). Claim 1 specifies the “embedded system connected to an IOT of a device.” Therefore, in order to be anticipatory, Engstrom must disclose an “IOT of a device,” which it does not. Thus, Engstrom does not anticipate claim 1.

In further particular, claim 10 has been amended to recite the limitation “at least one interface compatible with an IOT of a device;” and “a router connected to the at least one interface to manage device information.” The Examiner admits that Engstrom does not disclose this second limitation. (*See discussion of claim 19 in 8/24/2007 Office action, page 12*). Therefore, Engstrom does not disclose all limitations of claim 10. This, Engstrom does not anticipate claim 10.

The Examiner should also appreciate that the claims have been substantially amended to specify that the embodiments are limited to electroreprographic devices that typically require service upgrades or maintenance acts for user expected acceptable performance. The communication of the device status to a remote asset management system and service host facilitates the remote monitoring of the device by expert systems to accomplish the desired services and performance. The claim amendments recite features not taught or shown in the cited references.

For at least the aforementioned reasons, Engstrom does not anticipate the subject invention as recited in independent claims 1 and 10, or claims 2-5, 11-13, 15, 17, and 22 which respectively depend therefrom. Accordingly, Applicants respectfully

request the withdrawal of this rejection.

The Examiner has rejected claims 16, 19-21 and 23 under 35 U.S.C. § 103(a) as being unpatentable over Engstrom in view of Frailong. Claim 19 has been cancelled. This rejection should be withdrawn because Engstrom in view of Frailong does not teach or suggest the subject invention as set forth in the subject claims. Claims 16, 20-21 and 23 depend from Claim 10. As discussed above, Engstrom does not anticipate the subject invention as recited in claim 10. Frailong does not cure Engstrom's failure to teach or suggest the subject invention as recited in claim 10, or in claims 16, 20-21 and 23 which depend therefrom. Accordingly, Applicants respectfully request the withdrawal of this rejection.

#### Rejection of Claim 6 and Dependent Claims

The Examiner has rejected claims 6-9 under 35 U.S.C. § 102(e) as being anticipated by Frailong. This rejection should be withdrawn for at least the following reasons. Frailong does not teach or suggest the subject invention as set forth in the subject claims.

In particular, claim 6 has been amended to reflect its basis in the specification. It now recites "In an embedded system comprising a web server connected to an IOT of an electroreprographic device and to a network, a method of interacting with the embedded system [...]" While the amendment from "browser" to "server" is a correction and is not to be construed as limiting the claims, it also obviates the rejection. The Examiner's assertion that Frailong discloses an embedded system comprising a web *browser* is no longer relevant to the discussion. Furthermore, the amendment from "device" to "electroreprographic device" emphasizes the novelty of the claim: Frailong does not disclose any electroreprographic device. Thus, Frailong does not disclose an embedded system comprising a web *server* connected to an IOT of an electroreprographic device. As Frailong does not disclose all limitations of claim 6, it does not anticipate claim 6.

For at least the aforementioned reasons, Frailong does not anticipate the subject invention as recited in independent claim 6, or claims 7-9 which depend therefrom. Accordingly, Applicants respectfully request the withdrawal of this rejection.

### Rejection of Claim 24 and Dependent Claims

The Examiner has rejected claims 24-29 under 35 U.S.C. § 102(b) as being anticipated by Motoyama. This rejection should be withdrawn for at least the following reasons. Motoyama does not teach or suggest the subject invention as set forth in the subject claims.

In particular, claim 24 as amended recites "A web based user interface (UI) provided by an embedded web server, accessible by a user and in communication with an operating system of a device." The Examiner has stated that Motoyama does not disclose that the user interface is a Web based user interface provided by an embedded web server. (*See discussion of claim 31, 8/24/2007 Office Action, page 15*).

For at least the aforementioned reasons, Motoyama does not anticipate the subject invention as recited in independent claim 24, or claims 25-29 which depend therefrom. Accordingly, Applicants respectfully request the withdrawal of this rejection.

The Examiner has rejected claim 30 under 35 U.S.C. § 103(a) as being unpatentable over Motoyama in view of Budnik. This rejection should be withdrawn because Motoyama in view of Budnik does not teach or suggest the subject invention as set forth in the subject claims. Claim 30 depends from claim 24. As discussed above, Motoyama does not anticipate the subject invention as recited in claim 24. Budnik does not cure Motoyama's failure to teach or suggest the subject invention as recited in claim 24, or in claim 30 which depends therefrom. Accordingly, Applicants respectfully request the withdrawal of this rejection.

The Examiner has rejected claims 31 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Motoyama in view of Engstrom. Claim 31 has been cancelled. This rejection should be withdrawn because Motoyama in view of Engstrom does not teach or suggest the subject invention as set forth in the subject claims. Claim 32 depends from claim 24. As discussed above, Motoyama does not anticipate the subject invention as recited in claim 24. Engstrom does not cure Motoyama's failure to teach or suggest the subject invention as recited in claim 24, or in claim and 32 which depends therefrom. Accordingly, Applicants respectfully request the withdrawal of this rejection.

### CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 1-13, 15-18, 20-30, 32 and 33) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR	(3) NUMBER EXTRA
TOTAL CLAIMS	30	32=
INDEPENDENT CLAIMS	4	- 4 =

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 24-0037.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Patrick R. Roche, at Telephone Number (216) 861-5582.

Respectfully submitted,

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